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March 15, 2005

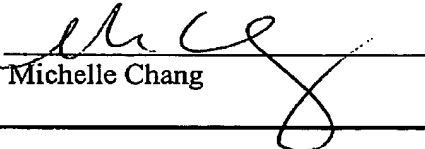
Atty Docket No. :	UCIP380
Appl. No. :	10/643,112
Filing Date :	August, 15, 2003
Pages :	Cover + 8

### BY FACSIMILE ONLY

Fax No. :	703-872-9306
Attention :	EXAMINER : CAMPBELL, THOR S.
Group Unit :	3742
From :	Jiawei Huang, Reg. No. 43,330
MESSAGE :	Enclosed herewith are: [x] Renew Petition [x] Copy of decision on petition [x] Amendment in 4 pages.

Sir:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on March 15, 2005 at the above indicated fax number.

Sign by: 

Michelle Chang

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Application No.: 10/643,112  
Docket No. UCIP380  
page 1

In re application of:

Application No.: 10/643,112

Filed: August 15, 2003

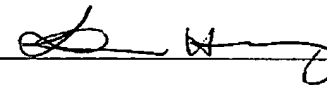
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Examiner: CAMPBELL, THOR S.

Art Unit: 3742

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) March 15, 2005  
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**RENEWED PETITION UNDER 37 CFR 1.137(b)**

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313

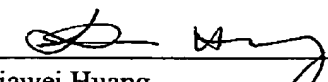
Sir:

This is a request for reconsideration of the decision mailed on January 3, 2005. The decision of January 19, 2005 indicated that the petition under 37 CFR 1.137(b) filed on January 3, 2005 to revive the above-identified application is dismissed because the required reply has not been submitted.

Enclosed herewith is an Amendment (in four pages) in response to the Office Action mailed on May 12, 2004.

Reconsideration of the petition is requested.

Respectfully submitted,  
J.C. PATENTS

  
Jiawei Huang  
Registration No. 43,330

Date: 3/15/2005

4 Venture, Suite 250  
Irvine, CA 92618  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 19 2005

OFFICE OF PETITIONS

In re Application of  
Huang, et al.  
Application No. 10/643,112  
Filed: August 15, 2003  
Attorney Docket No. UCIP380

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ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.137(b),  
filed January 7, 2005, to revive the above-identified  
application.

The petition is dismissed.

Any request for reconsideration of this decision must be  
submitted within TWO (2) MONTHS from the mail date of this  
decision. Extensions of time under 37 CFR 1.136(a) are permitted.  
The reconsideration request should include a cover letter  
entitled "Renewed Petition under 37 CFR 1.137(b)."

This application became abandoned for failure to timely reply  
within three months to the Office action mailed May 12, 2004.  
Accordingly, this application became abandoned on August 13,  
2004. A Notice of Abandonment was mailed on November 17, 2004.

Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now  
provide that where the delay in reply was unintentional, a  
petition may be filed to revive an abandoned application pursuant  
to 37 CFR 1.137(b). A grantable petition pursuant to 37 CFR  
1.137(b) must be accompanied by:

- (1) the required reply, unless previously filed.  
In a nonprovisional application abandoned for  
failure to prosecute, the required reply may be met  
by the filing of a continuing application. In an  
application, abandoned or lapsed for failure to pay  
the issue fee or any portion thereof, the required  
reply must be the payment of the issue fee or any  
outstanding balance thereof.

Application No. 10/643,112

Page 2

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(d).

The instant petition does not satisfy requirement (1) above.

The required reply has not been submitted. As such, the petition must be dismissed.

It is noted that petitioner states, "The Applicant has not received the Office Action of May 12, 2004 mentioned in the Notice of Abandonment. That is why the Applicant failed to file a reply. Applicant hereby requests the patent office send a copy of the Office Action of May 12, 2004 to the address specified in the attached Supplemental Declaration and Power of Attorney, so that a reply can be prepared."

If petitioner wishes to assert non-receipt of an Office action, petitioner should submit a petition under 37 CFR 1.181 to withdraw the holding of abandonment. No fee is required with a petition under 37 CFR 1.181. A petition under 37 CFR 1.181 to withdraw the holding of abandonment should be submitted to Technology Center 3700 and not the Office of Petitions.

Furthermore, please note, the showing required to establish non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the non-received Office communication would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement. See Withdrawing the Holding of Abandonment When Office Actions Are Not Received; Notice 1156 Off. Gaz. Pat. Office 53 (November 16, 1993).

Application No. 10/643,112

Page 3

Further correspondence with respect to this matter should be addressed as follows:

By mail:           Mail Stop Petition  
                  Commissioner for Patents  
                  Box 1450  
                  Alexandria, VA 22313

By FAX:           (703) 872-9306  
                  Attn: Office of Petitions

By hand:           Customer Service Window  
                  Randolph Building  
                  401 Dulany Street  
                  Alexandria, VA 22314

Telephone inquiries should be directed to the undersigned at (571)272-3228.



Edward J. Tannouse  
Petitions Attorney  
Office of Petitions  
United States Patent and Trademark Office

Attachments:  
May 12, 2004 Office Action